

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION**

UNITED STATES OF AMERICA,)	Criminal Case No. 6:12cr00013-4
)	
v.)	<u>MEMORANDUM OPINION</u>
)	
PIERRE PENNIX,)	By: Norman K. Moon
Petitioner.)	United States District Judge

Pierre Pennix, a federal inmate proceeding *pro se*, filed a motion which I construe as a motion to vacate, set aside, or correct sentence, pursuant to 28 U.S.C. § 2255. Upon review of the motion and court records, however, I conclude that the current § 2255 motion must be dismissed as an unauthorized, successive motion.

Pennix challenges his 188-month sentence for various drug offenses. Court records indicate that Pennix previously filed a § 2255 motion regarding the same conviction and sentence, which I dismissed. *See* Docket Nos. 170, 200, and 201. I may consider a second or successive § 2255 motion only upon specific certification from the United States Court of Appeals for the Fourth Circuit that the claims in the motion meet certain criteria. *See* § 2255(h). As Pennix has not submitted any evidence of having obtained certification from the Court of Appeals to file a second or successive § 2255 motion, I must dismiss the current action without prejudice.

ENTER: This 7th day of September, 2016.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE